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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,454

03/26/2004

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VOI0203.CON

9331

7590

05/26/2006

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EXAMINER

HUG, ERIC J

ART UNIT

PAPER NUMBER

1731

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/810,454	<b>Applicant(s)</b> BECK, DAVID A.	
	<b>Examiner</b> Eric Hug	<b>Art Unit</b> 1731	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 12-33 and 35-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 12-26 and 45-56 is/are allowed.
- 6) ☒ Claim(s) 27-33, 35 and 38-44 is/are rejected.
- 7) ☒ Claim(s) 36 and 37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

The following is in response to the amendment filed on March 22, 2006.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 27-33, 35, 40, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen (US 6,723,208).

Hansen discloses a papermaking fabric suitable for a press in a paper machine. The fabric is a laminated structure comprising at least a top paper side layer 34 and a bottom (backside) support layer 36 (see Fig. 3). The top layer may comprise one of the materials disclosed in column 6, line 58 to column 7, line 5, including a fabric woven from fibers or filaments fine enough not to mark a wet paper web. The bottom layer 36 comprises any one of the materials suitable for the top layer 34 (column 7, lines 26-30). This includes apertured extruded polymeric films. The apertured extruded polymeric film is described in column 7, lines 17-25, as having a thickness of 5 to 50 mils (equivalently 0.005 to 0.05 inches), and a percent open area of from 20% to 60%. The apertures may have any shape, such as rectangular, square, circular and so forth. The polymeric film may be of polyurethane, polyamide, polyethylene or polypropylene.

The top and bottom layers are attached to one another by sewing, needling, melting, fusing, or gluing (column 8, lines 17-21).

The fabric may comprise more than two layers including more than one backside layer, any of which can be of any one of the disclosed materials. See Figures 5-6.

The fine woven fabric used as the top layer may be the type as disclosed in Hansen US 5,525,410 according to column 7, lines 6-9. In this Hansen reference, the woven fabric may be produced in any weave pattern and in any weave density. Any number of layers may be included in such a structure. See column 3, lines 40-45 of Hansen 5,525,410.

The fine woven fabric serves equivalently as the claimed air distribution layer and the apertured thermoplastic serves equivalently as the claimed perforated film layer. All claimed combinations of layers are encompassed by Hansen corresponding to the materials given above. All weave patterns are encompassed by Hansen as disclosed in 5,525,410. All other claims correspond to the open area and thickness of the perforated film layer, which are read by the corresponding values for the apertured thermoplastic given above in Hansen.

2. Claims 38, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen (US 6,723,208) as applied to claim 27 above, and further in view of Jeffrey (WO 98/56982).

The fabric of Hansen is described above, and includes an apertured thermoplastic layer having the aforementioned open area. No description of the number of holes per area is given. However, it would have been obvious to one skilled in the art to vary the hole density (holes per area) and open area as needed to control the performance of the fabric.

Jeffrey is cited here to exemplify that the hole density and the amount of open area are known critical and optimizable variables pertaining to the permeability and re-wet properties of a

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press fabric. Jeffrey discloses a paper machine clothing for use as a press felt in the press section of a paper machine, wherein the clothing comprises at least one supporting layer made of an apertured thermoplastic membrane, which is equivalently the claimed perforated film layer. One of the functions of this layer is to prevent re-wet of a paper web in contact with a water-holding paper side layer.

In the office action mailed 12/21/2005, it was shown that in Jeffrey the hole count for the apertured thermoplastic of Jeffrey can exceed the claimed 200,000 holes/m<sup>2</sup> and have an open area of 15%. These values read on the claims.

***Allowable Subject Matter***

Claims 1-9, 12-26, and 45-56 are allowed.

Claims 36 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 36 and 37 are allowable for specifying that the weave repeat distance of the air distribution layer is equal to or greater than the perforate distance of the perforated film layer.

***Response to Arguments***

Applicant's arguments filed March 22, 2006 have been fully considered.

The arguments and amendments to the claims have overcome the objections to claims 17-19 set forth previously. All rejections of claims set forth previously under 35 U.S.C. 112, second paragraph, under 35 U.S.C. 102(b) over Jeffrey (WO 98/56982), under 35 U.S.C. 102(b) over Eklund et al (US 5,232,768), under 35 U.S.C. 102(b) over Schiel (US 6,159,880), under 35 U.S.C. 102(b) over Albert (US 4,541,895), under 35 U.S.C. 102(b) over Johnson et al (US 6,140,260), and under 35 U.S.C. 103(a) over Webster (US 4,675,079) in view of Eklund et al (US 5,232,768) and Hulit et al (US 4,309,246) have also been overcome by amendment.

The subject matter of claim 34 (now cancelled and incorporated into present claim 27) had been indicated previously as being allowable. Also, claims 35 and 44 had been indicated previously as being allowable. However, those indications have been withdrawn in view of new grounds of rejection set forth above.

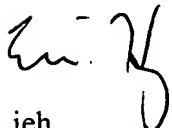
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kohler (US 5,609,936) discloses a dryer fabric having a paper side thread layer laminated to a perforated or slit polymeric support layer. A woven layer may be incorporated in between the two layers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
jeh